
**COMBINED DECLARATION AND
POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

Attorney Docket No.

N62.12-0001

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled POWER PLANT COMPRISING FUEL CELLS the specification of which having the above title and/or Attorney Docket No.

(check one) ☐ to be filed in the U.S. Patent Office if the specification is included herewith, or as filed in the U.S. Patent Office if the specification is not included herewith.
☐ was filed on _____ as Appln. No. _____ and was amended on _____.
☒ was described and claimed in PCT International Application No. PCT/NL2005/000041 filed on January 20, 2005 and as amended herewith, if a Preliminary Amendment is included herewith, or as filed in the U.S. Patent Office with the foregoing title and/or Attorney Docket No.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with 37 C.F.R. § 1.56.

PRIORITY CLAIM (35 U.S.C. § 119)

Prior Foreign Application(s)

I claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below, each of which is incorporated by reference in its entirety, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Number | Country | Day/Month/Year Filed | Priority Claimed |
|----------------|-----------|-------------------------|---|
| <u>1025289</u> | <u>NL</u> | <u>January 20, 2004</u> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| _____ | _____ | _____ | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States Provisional Application(s) listed below, each of which is incorporated by reference in its entirety:

| Number | Day/Month/Year Filed |
|------------|----------------------|
| <u>---</u> | <u>---</u> |
| _____ | _____ |

PRIORITY CLAIM (35 U.S.C. § 120)

I claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, each of which is incorporated by reference in its entirety. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Appln. No. | U.S. Appl. No. (if any under PCT) | Filing Date | Status |
|------------|--------------------------------------|-------------|--------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

DECLARATION

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

I appoint the attorneys and agents associated with

Customer Number 27367,

which is the customer number for the law firm of Westman, Champlin & Kelly, P.A., to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation.

I ratify all prior actions taken by Westman, Champlin & Kelly, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

DESIGNATION OF CORRESPONDENCE ADDRESS

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Inventor: _____ Date: _____
(Signature)

Inventor: Erik Middelma
(Printed Name)

Residence: Arnhem, The Netherlands Citizenship: NL

P.O. Address: Cattepoelseweg 237, NL-6815 CC Arnhem, The Netherlands

IMPORTANT NOTICE

Attorney Docket No.

N62.12-0001

NOTICE TO:

1. INVENTOR(S) SIGNING THIS APPLICATION
2. PERSONS ASSOCIATED WITH THIS APPLICATION

The Inventor(s), must read and approve the contents of this application including the Declaration, which is contained on the last page of this application, before signing.

Under 37, C.F.R. § 1.56, the inventor(s) and each individual substantively involved in the filing and prosecution of this patent application has a duty of candor and good faith in dealing with the U.S. Patent and Trademark Office ("PTO"), which includes a duty to disclose to the PTO all information known to that individual to be material to patentability as described below. **NO valid patent will be granted where fraud on the PTO was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct.** The PTO encourages you to carefully examine all information that may affect patentability, such as prior publications, prior disclosures to others, prior sales and offers for sale, prior art cited in foreign search reports, and prior uses, to make sure that any material information is disclosed to the PTO.

Information is material to patentability when it establishes, by itself or in combination with other information, possible unpatentability of the invention, or it refutes, or is inconsistent with, a position the applicant takes in any arguments with the PTO.

To comply with this duty, disclose material information to us.

In sum, if you know of any pertinent prior uses or publications, or any sales, or offers for sale of similar devices before this application is filed with the PTO, you must let us know. You must let us know this information whether the prior uses, publications, sales or offers for sale were made by you or others, or whether they were made for your invention or another similar device. Further, if you know of prior work on the same or a similar invention by someone other than the inventor(s) signing, you must also disclose this information to us.

If you have any questions, please ask them now. Complete disclosure is not only required, but will increase the likelihood of obtaining enforceable patent protection.

After the application is approved, the last page of the application must be signed and dated by the inventor(s) in the spaces provided, and the entire application must be returned to us for filing in the PTO.